

## REMARKS

This is intended as a full and complete response to the Office Action dated March 30, 2006, having a shortened statutory period for response set to expire on June 30, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-26 are pending in the application. Claims 1-26 remain pending following entry of this response.

### Claim Rejections - 35 U.S.C. § 103

Claims 1-8, 10-16, 18-23 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat No 6,681,368 issued to *Kawabata* in view of US Pat No 6,021,416 issued to *Dauerer et al.* (hereinafter *Dauerer*). Applicants respectfully traverse this rejection.

The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. See MPEP § 2142. To establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP § 2143. The present rejection fails to establish at least the first and third criteria, as described below.

### *The Cited References*

In making the present rejection, the Examiner cites to portions of *Kawabata* and *Dauerer*.

*Kawabata* is directed to enabling display of an index file having a frame structure. See *Kawabata*, Title. *Kawabata* provides a method for displaying an index file having a frame structure by a browser which does not support a frame function. See *Kawabata*, Col. 2, Lines 51-65. In *Kawabata*, a specific window within an index file is specified as a

base target, and the contents of the specific window are included in a non-frame tag part of the index file. *See id.* The contents of the specific window may be displayed in a non-frame format. *See Kawabata*, Col. 3, Lines 5-7.

*Dauerer* is directed to dynamic source code capture for a selected region of a display. *See Dauerer*, Title. In *Dauerer*, a region within an output display is selected using a pointing device, such as a mouse, track ball, or the like. *See Dauerer*, Abstract. Information that is displayed within the region is identified by the client processor. *See id.* The client processor identifies a portion of the source file from which the information displayed within the region is generated. *See id.* The identification includes a search for matching text between the selected region and the portion of the source file. *See id.*

#### *The Examiner's Rejections and Applicants' Response*

With respect to the third requirement of the prima facie case of obviousness, the cited references when combined must teach or suggest all the claim limitations.

The Examiner states that *Kawabata* teaches "automatically designating one of the at least two forms as a default search frame based on a pre-existing specification of the default search frame, wherein the designation is made irrespective of a listed order of the frames" at Col. 5, Lines 45-60 and in Figs. 1A, 4, and 5. *See Examiner's Office Action dated March 30, 2006* (hereinafter *Office Action*), Pg. 3, Para. 4. Col. 5, Lines 45-60 describes a frame structure of Fig. 1A in which a window (window3.html) is specified as a base target. As described above, the contents of the base target window are included in a non-frame tag part of the index file. *See id.* Col. 2, Lines 51-65; Col. 6, Lines 14-16. The contents of the specific window may be displayed in a non-frame format. *See Kawabata*, Col. 3, Lines 5-7; Col. 6, Lines 14-16. Accordingly, the base target designation is used in *Kawabata* to designate which window is displayed in a non-frame format, and does not refer to a default search frame or any type of searching. Indeed, the cited reference does not refer to "searching" or contain the term "search" at all. Accordingly, the cited reference does not teach the claim limitation cited by the Examiner, and withdrawal of the rejection is respectfully requested.

The Examiner also states that *Dauerer* discloses that "the designated default search frame of the displayed electronic document is available to a user for conducting a search of the searchable text contained in the designated default search frame and wherein absent a command from a user to search a different one of the at least two frames, a user request to perform a search is, by default, automatically initiated in the default search frame" at Col. 6, Lines 35-40 and Fig. 1, steps 140 and 145. The cited section describes that "a dialog box may be presented to the user to determine whether to perform [a] source check". *Dauerer*, Col. 6, Lines 35-40. The source check is a check for the code that produces the section of the screen defined by a selected region. See *Dauerer* at Col. 4, Lines 34-39. Accordingly, after a user defines a region within an input device, the source code check may be performed to determine which portion of the source code produced the portion of the displayed information lying within the region. See *Dauerer* at Col. 6, Lines 18-33.

Thus, the source check in *Dauerer* cited by the Examiner is performed in response to a user selection of a region, and is therefore not performed "by default". See *id.* Furthermore, the cited section refers determining a portion of source code which produces displayed information lying within the region. See *id.* The cited section does not refer to a search of the displayed information lying within the region. See *id.* Accordingly, the cited section does not teach the claim limitation cited by the Examiner, and withdrawal of the rejection is respectfully requested.

With respect to the first requirement of the prima facie case of obviousness, there must be some suggestion or motivation to modify the reference or to combine the reference teachings. Here, the Examiner states that it would have been obvious to one of ordinary skill in the art to modify *Kawabata* to include the teaching of *Dauerer* to allow a programmer to copy and edit a previously created HTML file using a plain text editor or word processor in order to create a duplicate or near duplicate of an existing web page, citing *Dauerer* at Col. 2, Lines 1-8. The cited section merely described a diagram showing a list of a conventional index file having a frame structure and a non-frame structure. *Dauerer* at Col. 2, Lines 1-8. Accordingly, the cited section does not contain the motivation to combine which is suggested by the Examiner. Furthermore, the

Examiner has not provided a suggestion or motivation to combine aspects of the references in the manner apparently suggested by the Examiner. Therefore, the requirements of the prima facie case of obviousness have not been satisfied. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 9, 17 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Kawabata* and *Dauerer* and further in view of US Pat No 5,388,993 issued to *McKiel* et al (hereinafter *McKiel*). Applicants respectfully traverse this rejection. Claims 9, 17 and 25 depend from independent Claims 1, 10, and 21, respectively. The Examiner's rejection of Claims 9, 17 and 25 incorporates the Examiner's rejections of Claims 1, 10, and 21 with respect to *Kawabata* and *Dauerer*. The rejection of Claims 1, 10, and 21 with respect to *Kawabata* and *Dauerer* is believed to be overcome for the reasons described above. Therefore, the rejection of Claims 9, 17 and 25 is also believed to be overcome. Accordingly, withdrawal of the rejection is respectfully requested.

Claim 24 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of *Kawabata* and *Dauerer* and further in view of US Pat No 6,943,795 issued to *Matsui et al.* (hereinafter *Matsui*). Applicants respectfully traverse this rejection. Claim 24 depends from independent Claim 21, and the Examiner's rejection of Claim 24 incorporates the Examiner's rejection of Claim 21 with respect to *Kawabata* and *Dauerer*. The rejection of Claim 21 with respect to *Kawabata* and *Dauerer* is believed to be overcome for the reasons described above. Therefore, the rejection of Claim 24 is also believed to be overcome. Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted, and  
**S-signed pursuant to 37 CFR 1.4,**

/Gero G. McClellan, Reg. No. 44,227/  
Gero G. McClellan  
Registration No. 44,227  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
Facsimile: (713) 623-4846  
Attorney for Applicant(s)